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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/603,079

06/25/2003

Klas Johansson

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1883

32294 7590 08/17/2007
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EXAMINER

TIEU, BINH KIEN

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

08/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/603,079

Applicant(s)

JOHANSSON ET AL.

Examiner

/BINH K. TIEU/

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Mueckenheim et al. (Pub. No.: US 2001/0019543).

Regarding claim 1, Mueckenheim et al. ("Mueckenheim") teaches a method for controlling at least one radio bearer parameter of a first radio bearer to be established or maintained between a mobile terminal and a first access-network node in a first cell of a cellular radio access network, said method comprising:

determining a current value of at least one load parameter indicative of an air interface load of the first cell (paragraphs [0027]-[0032]);

determining a current first target or limit value of at least one radio access bearer parameter of a radio access bearer (paragraphs [0045]-[0054]);

and selecting a second target value or a limit value of the radio bearer parameter based upon the first target or limit value and the current value of the load parameter (paragraphs [0055]-[0061]),

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wherein the first access-network node communicates with a core-network node in a core network to establish or maintain at least one radio access bearer between the mobile terminal and the core-network node (paragraphs [0036]-[0040]).

Regarding claim 2, note paragraph [0072].

Regarding claim 3, note paragraphs [0074]-[0075].

Regarding claim 4, see Abstract of the Patent.

Regarding claim 5, note paragraphs [0046]-[0048].

Regarding claims 6-8, note paragraphs [0042]-[0044] and [0068].

Regarding claims 9-14, note paragraphs [0010], [0042]-[0044], [0052]-[0054], [0066] and [0073]-[0075].

Regarding claim 15, note paragraphs [0048]-[0051].

Regarding claim 16, note paragraphs [0037] and [0053].

Regarding claim 17, note paragraphs [0040] and [0053].

Regarding claim 18, note paragraph [0050].

Regarding claim 19, note paragraphs [0010] and [0066].

Regarding claims 20-21, note paragraphs [0021] and [0022].

Regarding claims 22-26, the same considerations as made for claims 1-21 above are also valid for claims 22-26, since these claims include the similar feature combination as claim 1 in

terms of the corresponding "Radio Bear Control unit" *apparatus* claim (claim 22), the corresponding "system" apparatus claim (claim 25), and the corresponding "Mean Plus Function" *apparatus* claim (claim 26).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Almgren et al. (US. Pat. #: 6,668,175) teaches a system and method for determining radio access bearer parameters of access bearers establishing between a core network and a radio access network and a plurality of mobile terminals in order to help prevention of wireless network congestions.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (571) 272-7510 and E-mail address: BINH.TIEU@USPTO.GOV.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (571) 272-7499 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL CUSTOMER SERVICE FOR THE SUBSTITUTIONS OR COPIES.**

Any response to this action should be mailed to:
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Or faxed to:
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/BINH K. TIEU/
Primary Examiner
Technology Division 2614

Date: August 2007